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11 *Attorneys for Lead Plaintiff Vinod Patel*

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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15
16 In re: GERON CORPORATION SECURITIES
LITIGATION
17
18

CA No. 3:14-CV-01224 (CRB)

**STIPULATION AND ORDER TO
EXTEND CASE MANAGEMENT
SCHEDULE AND INCREASE PAGE
LIMITS**

19 This Document Relates To:

Judge: Hon. Charles R. Breyer
Courtroom: 6, 17th Floor

20 ALL ACTIONS

CONSOLIDATED CLASS ACTION

1 Lead Plaintiff Vinod Patel (“Lead Plaintiff”) and Defendants Geron Corporation, John A.
2 Scarlett, Olivia K. Bloom, and Stephen M. Kelsey (collectively “Defendants” and together with
3 Lead Plaintiff, the “Parties”), by and through their undersigned counsel, hereby stipulate as follows:

4 WHEREAS, on November 6, 2015, the Parties filed their Joint Case Management Statement
5 and Order (the “Initial CMS”) (ECF No. 94) proposing a litigation schedule and discovery plan for
6 this action;

7 WHEREAS, on November 13, 2015, the Court expressly adopted certain dates set forth in
8 the Initial CMS, and, although not reflected in the Minute Entry (ECF No. 95), presumably
9 approved the remaining dates set forth in the Initial CMS;

10 WHEREAS, the Parties unsuccessfully attempted to mediate their dispute but since that time
11 have continued discussions to reach a potential resolution of this action, pursuant to which
12 discussions targeted discovery and additional information have been exchanged among the Parties;

13 WHEREAS, the Parties would like to continue mediation discussions over the course of the
14 next several weeks without incurring certain significant expenses that would result from meeting
15 certain deadlines relating to the completion of document production and the briefing of Lead
16 Plaintiff’s upcoming motion for class certification; and

17 WHEREAS, the Parties have agreed to a new case management schedule that would
18 postpone several impending deadlines for approximately one month to accommodate for further
19 mediation discussions;

20 WHEREAS, pursuant to the amended case management schedule set forth below, Lead
21 Plaintiff intends to file a motion for class certification;

22 WHEREAS, Civil Local Rule 7-2(b) provides that memoranda of points and authorities may
23 not exceed 25 pages, but this Court’s Standing Order provides that any such memoranda may not
24 exceed 15 pages;

25 WHEREAS, given the complexity of the legal issues that must be addressed, the 15-page
26 limit would prevent the Parties from adequately setting forth their arguments in support of and in
27 opposition to Lead Plaintiff’s motion for class certification; and

1 WHEREAS, counsel for the Parties met and conferred to discuss page limits for the motion
 2 for class certification, and agreed that the page limits for both Lead Plaintiff's opening brief in
 3 support of and Defendants' opposition to the motion should be increased beyond 15 pages.

4 WHEREFORE, IT IS HEREBY STIPULATED AND AGREED that,

5 1. The following amended case management schedule should be adopted and the dates
 6 highlighted in the chart below should replace the dates set forth in the Initial CMS:

EVENT	DATE
Exchange of initial disclosures	December 11, 2015
Plaintiff to file class certification motion	<i>August 12, 2016</i>
Deadline for substantial completion of document productions	<i>September 30, 2016</i>
Defendants to respond to Plaintiff's class certification motion	<i>September 26, 2016</i>
Plaintiff's reply in support of class certification motion	<i>November 7, 2016</i>
Hearing on Plaintiff's class certification motion	<i>December 2, 2016, or on a date set by the Court</i>
Fact discovery cut-off	February 24, 2017
Last day to amend pleadings or add parties	March 10, 2017
Deadline for Plaintiff to submit expert reports	April 7, 2017
Deadline for Defendants to submit expert reports	May 8, 2017
Deadline for Plaintiff to submit rebuttal expert reports, if any	June 7, 2017
Expert discovery cut-off	June 23, 2017
Defendants to file motion for summary judgment and/or summary adjudication	July 14, 2017
Plaintiff's to respond to Defendants' motion for summary judgment and/or summary adjudication	August 28, 2017
Defendants reply in support of Defendants' motion for summary judgment and/or summary adjudication	October 12, 2017

1	Last day to conduct settlement conference	No later than 25 days after Court's ruling on all dispositive motions
2	Deadline to serve and file Rule 26(a)(3) disclosures	No later than 30 days after Court's ruling on all dispositive motions
3	Deadline to serve motions <i>in limine</i>	No later than 30 days after Court's ruling on all dispositive motions
4	Deadline to serve oppositions to motions <i>in limine</i>	No later than 60 days after Court's ruling on all dispositive motions
5	Deadline for the Parties to exchange copies of all exhibits, summaries, charts, and diagrams to be used at trial other than solely for impeachment	No later than 60 days after Court's ruling on all dispositive motions
6	Deadline to file joint proposed final pretrial order and other materials as set forth in the Court's "Guidelines for Trial and Final Pretrial Conference in Civil Jury Cases"	No later than 73 days after Court's ruling on all dispositive motions
7	Pre-trial conference	No later than 80 days after Court's ruling on all dispositive motions
8	Trial to commence	No later than 90 days after Court's ruling on all dispositive motions

16 2. Lead Plaintiff's opening brief in support of his motion for class certification shall
 17 not exceed 25 pages in length.

18 3. Defendants' opposition to Lead Plaintiff's motion for class certification shall not
 19 exceed 35 pages in length.

20 4. Lead Plaintiff's reply in support of his motion for class certification shall not exceed
 21 20 pages in length.

22 Dated: June 8, 2016

FARUQI & FARUQI, LLP

23 By: /s/ Richard W. Gonnello
 24 Richard W. Gonnello

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9 *Attorneys for Lead Plaintiff*

10 Dated: June 8, 2016

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25 *Attorneys for Defendants Geron Corporation,
26 John A. Scarlett, Olivia K. Bloom,
27 and Stephen M. Kelsey*

28 **ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))**

29 In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
30 document has been obtained from the signatory.

31 Dated: June 8, 2016

32 **FARUQI & FARUQI, LLP**

33 /s/ Richard W. Gonnello
34 Richard W. Gonnello (*pro hac vice*)

35 *Attorneys for Lead Plaintiff*

36 * * *

ORDER

Pursuant to the foregoing stipulation, and good cause appearing, **IT IS SO ORDERED.**

DATED: June 9, 2016

Honorable Charles R. Breyer
United States District Judge